

**The University of Montana  
School of Law  
Building Renovation and Addition  
House Bill No. 5**

**Montana's only law school needs a renovated and expanded building for its students.**

- A building that is accessible to students and visitors who are physically disabled
- More small and mid-sized classrooms
- Additional space for the School's clinical programs including client interview rooms, student work rooms and additional office space
- An expanded library that is current with today's technology to serve the needs of students, faculty, the judiciary, the practicing bar and the public
- Additional student study space

**Montana's only law school needs this project to maintain its accreditation.** UM President Dennison and School of Law Dean Eck must appear before the School's accrediting agency on June 22, 2007, to report if the School has raised sufficient funds to correct the building's deficiencies.

As part of the Governor's budget, House Bill No. 5 as introduced by Representative Tim Callahan includes a \$3,450,000 appropriation for the School of Law building.

The School has been fortunate for the following financial support (as of January 5, 2007):

\$4,400,000	individual and law firm gifts and pledges
1,700,000	federal appropriations
500,000	State of Montana appropriation during the 2005 session
<u>2,450,000</u>	bond proceeds to be serviced by student fees
\$9,050,000	Total

Given the escalating costs of construction materials and the uncertainties associated with any renovation, the School's architects most recently estimated that \$12.5 million may be needed to complete the building project. The School hopes to go to bid shortly after the 2007 Legislative Session to minimize the effect of further construction cost escalation. Depending upon the actual construction costs and available funds, the School needs to replace some heat pumps and pipes and undertake other maintenance items which have been long deferred. The estimated costs for these deferred maintenance items is an additional \$750,000.

We continue to seek new donors of private gifts to cover the full cost of the building renovation and addition and the deferred maintenance. It is critical to reach our goal in 2007 to meet the needs of our students and for our continued accreditation.

**An accredited law school is critical to Montana.**

- Montana citizens can obtain an education in the law without leaving the state.
- Our students learn Montana law. In our federal system of government, our state legislative bodies are the primary law givers. Because The University of Montana School of Law exists as an accredited institution, there is one academic institution focusing on Montana law.

**The University of Montana School of Law has earned a national reputation for excellence.** In the same accreditation report that states that the law school building does not meet accreditation standards, **the faculty is applauded for “outstanding” teaching, scholarship, and service to Montana.**

- The School of Law is a leader in rural legal education.
- The School of Law provides skills training as well as legal theory. Its innovative law firm program, introductory program, and required clinical program are models for other law schools.
- Our students compete and excel in the National Moot Court competition, the ATLA Trial competition, the ABA Negotiation competition, the ABA Client Counseling competition, the Native American Law Student Association Moot Court competition, the Jessup International Moot Court competition, and the Pace Environmental Law Moot Court competition.
- The School’s faculty and students have assisted the Montana Legislature with drafting and analyzing a number of nonpartisan legislative matters including the Criminal Code, the Trust Code, Water Use law, the Montana Close Corporation Act, and various uniform state laws.

Our mission is to prepare students for the people-oriented practice of law. Our building must reflect our excellence. We must meet accreditation standards for our facility as we have for our educational program. We need your help.

More information is available on the School of Law’s home page – [www.umt.edu/law/](http://www.umt.edu/law/). Click on “Building for Our Second Century” in the lower right corner of the home page. If you have any questions or comments, please contact Dean Ed Eck at 406.243.6534 or [e.eck@umontana.edu](mailto:e.eck@umontana.edu).

## **DECISION OF THE ACCREDITATION COMMITTEE**

### **June 2006**

At its June 22-24, 2006 meeting, the Accreditation Committee considered the status of The University of Montana School of Law. The Committee had before it a letter submitted by President George M. Dennison and Dean E. Edwin Eck, dated May 1, 2006, responding to the Committee's June 2005 request ("Response Letter"), and the history of actions taken by the Committee since the School's last regular site evaluation; the history is attached to this document as an appendix.

#### **FINDINGS OF FACT:**

(1) At its June 2002 meeting, in considering the regular site evaluation report of the University of Montana School of Law ("Law School" or "School"), the Accreditation Committee ("Committee") concluded that the School had not established compliance with Standard 701, in that the inadequacies of its facility have a negative and material effect on the education students receive. Since that time, the Committee has received annual reports on the School's actions to bring the School into compliance. Each year since 2003, the Committee has noted the School's progress in planning for the expansion and renovation of the Law School Building and beginning the process of raising the needed funds, but concluded, in accordance with Rule 11(a) [currently Rule 13(a)], that the School had not established compliance with Standard 701. [See also the Committee's Findings of Fact (53), (55), (56), (57), (58), (59), (60), and (61) of its June 2002 letter; Finding of Fact (1) of its June 2004 letter; and Finding of Fact (1) of its June 2005 letter.]

(2) The School previously reported that an architectural firm had completed a design for a renovated and expanded facility to address the inadequacies of the current facility. The cost of the project had been estimated at \$8 million. The School most recently had reported that it had received gifts and commitments of \$4.5 million and that it anticipated beginning the public campaign in the fall of 2005 as part of the University's campaign to raise \$100 million.

(3) In the most recent Response Letter, the President and Dean report that the Law School and University have launched the public campaign and have received an additional \$1.3 million of gifts and commitments from individuals and firms, bringing the total to \$5.8 million. Unfortunately, the estimated cost of the project has increased to \$10.5 million, meaning the "shortfall" has increased from \$3.5 million to \$4.7 million in the past year.

(4) The President and Dean further report that the University will seek \$3.7 million of state support during the next session of the Montana Legislature, although the Response Letter does not explicitly state the University is seeking these funds for the Law School project. The President and Dean state they will be able to definitively report on the success of this request after the session in April 2007.

### **CONCLUSIONS:**

The Committee concludes, in accordance with Rule 13(b), that the University of Montana School of Law has failed to demonstrate that it is in compliance with Standard 701, in that the inadequacies of its existing facilities, together with the lack of accessibility to students with disabilities, have a negative and material effect on the education its students receive. [See Findings of Fact (1)-(4).]

### **ACTION REQUESTED:**

(1) In accordance with Rule 13(b), the Committee requests that the President of the University of Montana and the Dean of the School of Law appear before the Committee on Friday, June 22, 2007, at 10:00 a.m., at its meeting in Whitefish, Montana, to show cause why the University of Montana School of Law should not be required to take appropriate remedial action, have sanctions imposed on it, be placed on probation, or be removed from the list of law schools approved by the American Bar Association.

(2) The Committee requests that the President of the University and the Dean of the School of Law submit a response, by May 1, 2007, regarding the actions that have been taken to bring the School into compliance with Standard 701.